

# EXHIBIT C

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**PLAINTIFF'S SUPPLEMENTAL  
RESPONSES TO DEFENDANT'S  
INTERROGATORIES, SET NO. 1  
(INTERROGATORY NOS. 1-10)**

**MAY CONTAIN GOOGLE HIGHLY  
CONFIDENTIAL – ATTORNEYS'  
EYES ONLY INFORMATION**

**INTERROGATORY NO. 2:**

State in detail Oracle's factual bases for its claim of direct copyright infringement, specifically including a comparison of each element of Java software, including without limitation any class libraries, API packages, method names, class names, definitions, organizational elements, parameters, structural elements, and documentation, to the corresponding Android element, as Oracle did in Exhibit J to its Amended Complaint.

**SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 2:**

Oracle owns many copyrights in the code, documentation, specifications, libraries, and other materials that comprise the Java platform. As new versions of the Java platform were developed and the materials revised, the copyrights were registered with the United States Copyright Office, including TX0004416302; TX0004326014; TX0004616088; TX0005271787; TX0005316757; TX0005316758; TX0005359984; TX0005359985; TX0005359986; TX0005359987; TX0005392885; TX0006066538; TX0006143306; TX0006196514; and TX0006848555. Google has infringed Oracle's copyrights.

Android Application Programmer Interface (API) package specifications (whether or not from the Apache Harmony project) that correspond to Oracle's Java API specifications are unauthorized copying or making a derivative work, and Google's unauthorized copying and distribution of them is copyright infringement. A comparison of Android's API package specifications (available at <http://developer.android.com/reference/packages.html>) with Oracle's copyrighted Java API package specifications (for example, available at <http://download.oracle.com/javase/1.5.0/docs/api/>, <http://download.oracle.com/javase/1.4.2/docs/api/>, and <http://download.oracle.com/javase/1.3/docs/api/>)<sup>9</sup> demonstrates that the following Android package specifications are derived from or substantially similar to Oracle's copyrighted Java API package specifications:

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<sup>9</sup> Oracle's copyright infringement claim applies to all versions of Oracle's Java API specifications and reference implementations from which Android derives, which include J2SE 1.2, J2SE 1.3, J2SE 1.4, and J2SE 5.0.

- 1 1. java.awt.font
- 2 2. java.beans
- 3 3. java.io
- 4 4. java.lang
- 5 5. java.lang.annotation
- 6 6. java.lang.ref
- 7 7. java.lang.reflect
- 8 8. java.net
- 9 9. java.nio
- 10 10. java.nio.channels
- 11 11. java.nio.channels.spi
- 12 12. java.nio.charset
- 13 13. java.nio.charset.spi
- 14 14. java.security
- 15 15. java.security.acl
- 16 16. java.security.cert
- 17 17. java.security.interfaces
- 18 18. java.security.spec
- 19 19. java.sql
- 20 20. java.text
- 21 21. java.util
- 22 22. java.util.jar
- 23 23. java.util.logging
- 24 24. java.util.prefs
- 25 25. java.util.regex
- 26 26. java.util.zip
- 27 27. javax.crypto
- 28 28. javax.crypto.interfaces

29. javax.crypto.spec
30. javax.net
31. javax.net.ssl
32. javax.security.auth
33. javax.security.auth.callback
34. javax.security.auth.login
35. javax.security.auth.x500
36. javax.security.cert
37. javax.sql

Some Android package API specifications are substantially similar to selected portions of some of the Oracle Java API package specifications (*e.g.*, `java.awt.font`, `java.beans`) while other Android package API specifications are substantially similar to complete portions of other Oracle Java API package specifications (*e.g.*, `java.io`, `java.lang`, `java.net`, `java.nio`, `java.security`, `java.sql`, `java.text`). Exhibits A-E are illustrative examples.<sup>10</sup>

The Android source and object code (whether or not from the Apache Harmony project) that purports to implement Oracle's Java API specifications is unauthorized derivative work, and Google's unauthorized copying and distribution of it is copyright infringement. *See, e.g.*, "What is Android?" (available at <http://developer.android.com/guide/basics/what-is-android.html> ("Android includes a set of core libraries that provides most of the functionality available in the core libraries of the Java programming language.")); Package Index (available at <http://developer.android.com/reference/packages.html>), including those API packages listed above, and subsidiary webpages; and source code and documentation files available in:<sup>11</sup>

<sup>10</sup> The illustrative examples are taken from <http://download.oracle.com/javase/1.5.0/docs/api/> and <http://developer.android.com/reference/packages.html>.

<sup>11</sup> Google continues to modify the source code available through <http://android.git.kernel.org>. Such changes are subject to the discovery Oracle has propounded on Google. In any event, the cited source code examples are taken from <http://android.git.kernel.org/>. The citations are shortened and mirror the file paths shown in <http://android.git.kernel.org/>. For example, "`dalvik\vm\native\InternalNative.c`" maps to "[`platform/dalvik.git`] / `vm / native / InternalNative.c`" (accessible at <http://android.git.kernel.org/?p=platform/dalvik.git;a=blob;f=vm/native/InternalNative.c>) before modification by Google.

1 For Android 2.2 (“Froyo”):

- 2 • dalvik\libcore\security\src\main\java\java\security;
- 3 • dalvik\libcore\security\src\main\java\javax\security\cert;
- 4 • dalvik\libcore\security\src\main\java\org\apache\harmony\security;
- 5 • dalvik\libcore\luni\src\main\java\java;
- 6 • dalvik\libcore\luni\src\main\java\org\apache\harmony\luni;
- 7 • dalvik\libcore\luni-kernel\src\main\java\java\lang;
- 8 • dalvik\libcore\luni-kernel\src\main\java\org\apache\harmony\kernel;
- 9 • dalvik\libcore\luni-kernel\src\main\java\org\apache\harmony\lang;
- 10 • dalvik\libcore\nio\src\main\java\java.

11 For Android 2.3 (“Gingerbread”):

- 12 • libcore\luni\src\main\java\java\security;
- 13 • libcore\luni\src\main\java\javax\security\cert;
- 14 • libcore\luni\src\main\java\org\apache\harmony\security;
- 15 • libcore\luni\src\main\java\java;
- 16 • libcore\luni\src\main\java\org\apache\harmony\luni;
- 17 • libcore\luni\src\main\java\java\lang;
- 18 • libcore\luni\src\main\java\org\apache\harmony\kernel;
- 19 • libcore\luni\src\main\java\org\apache\harmony\lang;
- 20 • libcore\luni\src\main\java\java\nio.

21 Google has created and distributed infringing works written in native code, in addition to  
 22 Java code, that derive from Oracle’s copyrighted works. For example, Google makes and  
 23 distributes dalvik\vm\native\java\_lang\_Class.c, which is based on Oracle’s java.lang.Class  
 24 specification. Other examples include:

- 25 • dalvik\vm\native\java\_lang\_Object.c
- 26 • dalvik\vm\native\java\_lang\_reflect\_AccessibleObject.c;
- 27 • dalvik\vm\native\java\_lang\_reflect\_Array.c;
- 28 • dalvik\vm\native\java\_lang\_reflect\_Constructor.c;

- 1           •       dalvik\vm\native\java\_lang\_reflect\_Field.c;
- 2           •       dalvik\vm\native\java\_lang\_reflect\_Method.c;
- 3           •       dalvik\vm\native\java\_lang\_reflect\_Proxy.c;
- 4           •       dalvik\vm\native\java\_lang\_Runtime.c;
- 5           •       dalvik\vm\native\java\_lang\_String.c;
- 6           •       dalvik\vm\native\java\_lang\_System.c;
- 7           •       dalvik\vm\native\java\_lang\_Throwable.c;
- 8           •       dalvik\vm\native\java\_lang\_VMClassLoader.c;
- 9           •       dalvik\vm\native\java\_lang\_VMThread.c; and
- 10          •       dalvik\vm\native\java\_security\_AccessController.c.

11       *See also, e.g.,* source code files in libcore\luni\src\main\native; libcore\luni-  
 12       kernel\src\main\native.

13       Google's Android videos directly reference inclusion of Java libraries in Android, *e.g.*:

- 14          •       Google Presentation, entitled "Android: Securing a Mobile Platform from the  
 15       Ground Up," presented by Rich Cannings (Google's Android Team) at the Usenix 18th Security  
 16       Symposium (Aug. 12, 2010), available at <http://www.usenix.org/events/sec09/tech/>.
- 17          •       Google I/O 2010 Video, entitled "A JIT Compiler for Android's Dalvik VM,"  
 18       presented by Ben Cheng and Bill Buzbee (Google's Android Team), available at  
 19       <http://developer.android.com/videos/index.html?v=Ls0tM-c4Vfo>.
- 20          •       Google I/O 2008 Video, entitled "Dalvik Virtual Machine Internals," presented by  
 21       Dan Bornstein (Google Android Project), available at  
 22       <http://developer.android.com/videos/index.html?v=ptjedOZEXPM>.

23       Moreover, Google admits that Android incorporates a subset of Apache Harmony, which  
 24       it asserts is "an implementation of Sun's Java." (*See, e.g.,* Google's Amended Counterclaims  
 25       ¶¶ 6-7, 13.)

26       Google has distributed by way of Android and Android-related websites source and object  
 27       code derived from or substantially similar to Oracle's source code or to decompiled Oracle object  
 28       code, including:

- 1 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl
- 2 EntryImpl.java
- 3 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl
- 4 Impl.java
- 5 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Gro
- 6 upImpl.java
- 7 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Ow
- 8 nerImpl.java
- 9 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Per
- 10 missionImpl.java
- 11 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Pri
- 12 ncipalImpl.java
- 13 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/cert/Po
- 14 licyNodeImpl.java
- 15 • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl
- 16 Enumerator.java (which was obtained by decompiling Oracle's
- 17 /sun/security/acl/AclEnumerator.class)
- 18 • /dalvik/libcore/luni/src/main/java/java/util/TimSort.java contains a method,
- 19 rangeCheck, copied from Oracle's java/util/Arrays.java
- 20 • /dalvik/libcore/luni/src/main/java/java/util/ComparableTimSort.java contains a
- 21 method, rangeCheck, copied from Oracle's java/util/Arrays.java
- 22 • /dalvik/libcore/security/src/test/java/org/apache/harmony/security/tests/java/security/C
- 23 odeSourceTest.java contains comments copied from Oracle's
- 24 /java/security/CodeSource.java
- 25 • /dalvik/libcore/security/src/test/java/tests/security/cert/CollectionCertStoreParameters
- 26 Test.java contains comments copied from Oracle's
- 27 /java/security/cert/CollectionCertStoreParameters.java
- 28



Additional supporting evidence of Google's copyright infringement can be found at, *e.g.*, GOOGLE-00296156-75; GOOGLE-00296453-60; GOOGLE-00296959-61; GOOGLE-00296500-03; GOOGLE-00296507; GOOGLE-00297265; GOOGLE-00297033-38, GOOGLE-00297252-57, GOOGLE-00297361-65 and similar questionnaires signed by other developers; GOOGLE-00296203-07; GOOGLE-00296498-99; GOOGLE-00296523-24; GOOGLE-00296525-26; GOOGLE-00297075-76; GOOGLE-00392221-24; GOOGLE-00392197; GOOGLE-00392204-12; GOOGLE-00392198-203; GOOGLE-00392213-16; GOOGLE-00392183-94; GOOGLE-00392181-82; GOOGLE-00392178-80; GOOGLE-02-00081462; GOOGLE-03-00075095; GOOGLE-01-00029843-45; GOOGLE-01-00026813; GOOGLE-02-00018744; GOOGLE-01-00025454; GOOGLE-01-00023889.

Discovery is ongoing, and Oracle has not yet completed its investigation of the documents and facts relevant to the claims and defenses asserted in this action. Accordingly, Oracle's responses are based on the information reasonably available at this time and Oracle will supplement this response as appropriate under the Federal Rules of Civil Procedure.

**INTERROGATORY NO. 3:**

State in detail Oracle's factual bases for each element of indirect copyright infringement, specifically including an identification of any direct infringement and a description of the acts of the alleged indirect infringer that contribute to or are inducing that direct infringement.

**SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:**

The factual bases for Oracle's indirect copyright infringement claim include facts demonstrating Google's direct infringement (discussed in responses to Interrogatory Nos. 2 and 6); facts demonstrating that Google's infringement was done with knowledge of Oracle's copyrights (discussed in response to Interrogatory No. 4); and facts demonstrating that users of the Android Platform must copy and use portions of the Java Platform to manufacture and distribute Android devices (discussed in response to Interrogatory No. 7). Google actively and explicitly encourages the widespread adoption and implementation of the Android Platform by device manufacturers, service providers, software companies, and application developers. *See, e.g.,* developer.android.com. Google distributes the Android Platform through the Open Handset

**INTERROGATORY NO. 5:**

Identify with specificity all Android computer program code (or other materials) that Oracle contends was directly copied from Oracle code (or other materials) and the Oracle code (or other materials) from which Oracle contends the Android code or other materials were copied.

**SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5:**

Android Application Programmer Interface (API) package specifications (whether or not from the Apache Harmony project) that correspond to Oracle's Java API specifications are unauthorized derivative work, and Google's unauthorized copying and distribution of them is copyright infringement. A comparison of Android's API package specifications (available at <http://developer.android.com/reference/packages.html>) with Oracle's copyrighted Java API package specifications (for example, available at <http://download.oracle.com/javase/1.5.0/docs/api/>, <http://download.oracle.com/javase/1.4.2/docs/api/>, and <http://download.oracle.com/javase/1.3/docs/api/>) demonstrates that the following Android package specifications are derived from or substantially similar to Oracle's copyrighted Java API package specifications:

1. java.awt.font
2. java.beans
3. java.io
4. java.lang
5. java.lang.annotation
6. java.lang.ref
7. java.lang.reflect
8. java.net
9. java.nio
10. java.nio.channels
11. java.nio.channels.spi
12. java.nio.charset

- 1 13. java.nio.charset.spi
- 2 14. java.security
- 3 15. java.security.acl
- 4 16. java.security.cert
- 5 17. java.security.interfaces
- 6 18. java.security.spec
- 7 19. java.sql
- 8 20. java.text
- 9 21. java.util
- 10 22. java.util.jar
- 11 23. java.util.logging
- 12 24. java.util.prefs
- 13 25. java.util.regex
- 14 26. java.util.zip
- 15 27. javax.crypto
- 16 28. javax.crypto.interfaces
- 17 29. javax.crypto.spec
- 18 30. javax.net
- 19 31. javax.net.ssl
- 20 32. javax.security.auth
- 21 33. javax.security.auth.callback
- 22 34. javax.security.auth.login
- 23 35. javax.security.auth.x500
- 24 36. javax.security.cert
- 25 37. javax.sql

26 Some Android package API specifications are substantially similar to selected portions of  
27 some of the Oracle Java API package specifications (*e.g.*, java.awt.font, java.beans) while other  
28 Android package API specifications are substantially similar to complete portions of other Oracle

1 Java API package specifications (*e.g.*, java.io, java.lang, java.net, java.nio, java.security, java.sql,  
2 java.text).

3 The Android source and object code (whether or not from the Apache Harmony project)  
4 that purports to implement Oracle's Java API specifications is unauthorized derivative work, and  
5 Google's unauthorized copying and distribution of it is copyright infringement. *See, e.g.*,  
6 Package Index (available at <http://developer.android.com/reference/packages.html>), including  
7 those API packages listed above, and subsidiary webpages; and source code and documentation  
8 files available in:<sup>12</sup>

9 For Android 2.2 ("Froyo"):

- 10 • dalvik\libcore\security\src\main\java\java\security;
- 11 • dalvik\libcore\security\src\main\java\javax\security\cert;
- 12 • dalvik\libcore\security\src\main\java\org\apache\harmony\security;
- 13 • dalvik\libcore\luni\src\main\java\java;
- 14 • dalvik\libcore\luni\src\main\java\org\apache\harmony\luni;
- 15 • dalvik\libcore\luni-kernel\src\main\java\java\lang;
- 16 • dalvik\libcore\luni-kernel\src\main\java\org\apache\harmony\kernel;
- 17 • dalvik\libcore\luni-kernel\src\main\java\org\apache\harmony\lang;
- 18 • dalvik\libcore\nio\src\main\java\java.

19 For Android 2.3 ("Gingerbread"):

- 20 • libcore\luni\src\main\java\java\security;
- 21 • libcore\luni\src\main\java\javax\security\cert;
- 22 • libcore\luni\src\main\java\org\apache\harmony\security;
- 23 • libcore\luni\src\main\java\java;

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24 <sup>12</sup> Google continues to modify the source code available through <http://android.git.kernel.org>. Such changes  
25 are subject to the discovery Oracle has propounded on Google. In any event, the cited source code examples are  
26 taken from <http://android.git.kernel.org/>. The citations are shortened and mirror the file paths shown in  
27 <http://android.git.kernel.org/?p=platform/dalvik.git;a=blob;f=vm/native/InternalNative.c> before modification by  
28 Google.

- libcore\luni\src\main\java\org\apache\harmony\luni;
- libcore\luni\src\main\java\java\lang;
- libcore\luni\src\main\java\org\apache\harmony\kernel;
- libcore\luni\src\main\java\org\apache\harmony\lang;
- libcore\luni\src\main\java\java\nio.

Google has created and distributed infringing works written in native code, in addition to Java code, that derive from Oracle's copyrighted works. For example, Google makes and distributes dalvik\vm\native\java\_lang\_Class.c, which is based on Oracle's java.lang.Class specification. Other examples include:

- dalvik\vm\native\java\_lang\_Object.c
- dalvik\vm\native\java\_lang\_reflect\_AccessibleObject.c;
- dalvik\vm\native\java\_lang\_reflect\_Array.c;
- dalvik\vm\native\java\_lang\_reflect\_Constructor.c;
- dalvik\vm\native\java\_lang\_reflect\_Field.c;
- dalvik\vm\native\java\_lang\_reflect\_Method.c;
- dalvik\vm\native\java\_lang\_reflect\_Proxy.c;
- dalvik\vm\native\java\_lang\_Runtime.c;
- dalvik\vm\native\java\_lang\_String.c;
- dalvik\vm\native\java\_lang\_System.c;
- dalvik\vm\native\java\_lang\_Throwable.c;
- dalvik\vm\native\java\_lang\_VMClassLoader.c;
- dalvik\vm\native\java\_lang\_VMThread.c; and
- dalvik\vm\native\java\_security\_AccessController.c.

*See also, e.g.,* source code files in libcore\luni\src\main\native; libcore\luni-kernel\src\main\native.

Google has distributed by way of Android and Android-related websites source and object code derived from or substantially similar to Oracle's source code or to decompiled Oracle object code, including:

- 1       • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl  
2       EntryImpl.java (which is substantially similar to the result of decompiling Oracle's  
3       /sun/security/acl/AclEntryImpl.class)
- 4       • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl  
5       Impl.java (which is substantially similar to the result of decompiling Oracle's  
6       /sun/security/acl/AclImpl.class)
- 7       • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Gro  
8       upImpl.java (which is substantially similar to the result of decompiling Oracle's  
9       /sun/security/acl/GroupImpl.class)
- 10      • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Ow  
11      nerImpl.java (which is substantially similar to the result of decompiling Oracle's  
12      /sun/security/acl/OwnerImpl.class)
- 13      • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Per  
14      missionImpl.java (which is substantially similar to the result of decompiling Oracle's  
15      /sun/security/acl/PermissionImpl.class)
- 16      • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Pri  
17      ncipalImpl.java (which is substantially similar to the result of decompiling Oracle's  
18      /sun/security/acl/PrincipalImpl.class)
- 19      • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/cert/Po  
20      licyNodeImpl.java (which is substantially similar to the result of decompiling Oracle's  
21      /sun/security/acl/PolicyNodeImpl.class)
- 22      • /dalvik/libcore/support/src/test/java/org/apache/harmony/security/tests/support/acl/Acl  
23      Enumerator.java (which was obtained by decompiling Oracle's  
24      /sun/security/acl/AclEnumerator.class)
- 25      • /dalvik/libcore/luni/src/main/java/java/util/TimSort.java contains a method,  
26      rangeCheck, copied from Oracle's java/util/Arrays.java
- 27      • /dalvik/libcore/luni/src/main/java/java/util/ComparableTimSort.java contains a  
28      method, rangeCheck, copied from Oracle's java/util/Arrays.java

- 1 • /dalvik/libcore/security/src/test/java/org/apache/harmony/security/tests/java/security/C
- 2 odeSourceTest.java contains comments copied from Oracle's
- 3 /java/security/CodeSource.java
- 4 • /dalvik/libcore/security/src/test/java/tests/security/cert/CollectionCertStoreParameters
- 5 Test.java contains comments copied from Oracle's
- 6 /java/security/cert/CollectionCertStoreParameters.java

7 Discovery is ongoing, and Oracle has not yet completed its investigation of the documents  
 8 and facts relevant to the claims and defenses asserted in this action. Accordingly, Oracle's  
 9 responses are based on the information reasonably available at this time and Oracle will  
 10 supplement this response as appropriate under the Federal Rules of Civil Procedure.

11 **INTERROGATORY NO. 6:**

12 State in detail Oracle's factual bases for its contention that approximately one third of  
 13 Android's Application Programmer Interface (API) packages (available at  
 14 <http://developer.android.com/reference/packages.html>) are derivative of Oracle America's  
 15 copyrighted Java API packages (available at [http://download-](http://download-llnw.oracle.com/javase/1.5.0/docs/api/)  
 16 [llnw.oracle.com/javase/1.5.0/docs/api/](http://download-llnw.oracle.com/javase/1.5.0/docs/api/) and [http://download-](http://download-llnw.oracle.com/javase/1.4.2/docs/api/)  
 17 [llnw.oracle.com/javase/1.4.2/docs/api/](http://download-llnw.oracle.com/javase/1.4.2/docs/api/)) and corresponding documents.

18 **SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 6:**

19 Thirty-seven of Google's Android API package specifications are derived from or  
 20 substantially similar to Oracle's Java SE API package specifications. The list of packages  
 21 includes: java.awt.font, java.beans, java.io, java.lang, java.lang.annotation, java.lang.ref,  
 22 java.lang.reflect, java.net, java.nio, java.nio.channels, java.nio.channels.spi, java.nio.charset,  
 23 java.nio.charset.spi, java.security, java.security.acl, java.security.cert, java.security.interfaces,  
 24 java.security.spec, java.sql, java.text, java.util, java.util.jar, java.util.logging, java.util.prefs,  
 25 java.util.regex, java.util.zip, javax.crypto, javax.crypto.interfaces, javax.crypto.spec, javax.net,  
 26 javax.net.ssl, javax.security.auth, javax.security.auth.callback, javax.security.auth.login,  
 27 javax.security.auth.x500, javax.security.cert, and javax.sql.

**CERTIFICATE OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 755 Page Mill Road, Palo Alto, California 94304-1018. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on July 29, 2011, I served a copy of:

**PLAINTIFF'S SUPPLEMENTAL RESPONSES TO  
DEFENDANT'S INTERROGATORY NOS. 1-10**

☒ **BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at Palo Alto, California, this 29th day of July, 2011.

Marc David Peters  
(typed)

/s/ Marc David Peters  
(signature)